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Hong Kong

Food and Agricultural Import Regulations and Standards

Comments Invited on Preservatives in Food Regulations

2007

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Report Highlights:

Hong Kong is in the process of changing its regulations on food preservatives to comply more fully with CODEX. However, currently allowed preservatives not listed in CODEX will be "grandfathered" in. U.S. food exporters whose products comply with CODEX standards should not be affected by the amended regulation. According to the Hong Kong government's preliminary assessment of the impact of the amendment, the permitted levels of preservatives in about 70 specified products will be relaxed under the General Standard on Food Additives (GSFA), compared with the current Regulations. At the same time, approximately 30 specified foods will have their preservative level(s) tightened. U.S. producers using preservatives not on the CODEX list or which exceed CODEX-specified levels are advised to read the consultation paper carefully and consider submitting comments to the Hong Kong Government before expiration of the comment period on February 28, 2007. Links to the websites containing the Hong Kong consultation paper and the CODEX standards are included in this report.

Includes PSD Changes: No
Includes Trade Matrix: No
Unscheduled Report
Hong Kong [HK1]
[HK]

The Hong Kong government plans to review and update the Preservatives in Food Regulations. They have released a consultation document on the proposal and invited comments on the document during the consultation period, which will end February 28, 2007. U.S. industries are strongly encouraged to review the proposal and submit their comments to the Hong Kong government by the end of the consultation period. You are also encouraged to copy our office at atohongkong@usda.gov on your comments so that we may consider incorporating them into any U.S. government response to the proposal.

The Existing Regulation

The control on the use of preservatives and antioxidants in food is governed by the Preservatives in Food Regulations, Cap.132BD. A copy of the regulation, which includes preservative levels per food product, is found at the following website ----
<http://www.legislation.gov.hk/eng/home.htm>

Under the current Regulations, there are a total of 12 permitted preservatives and 7 permitted antioxidants. Only specified permitted preservatives and antioxidants are allowed in corresponding specified food items. At present, the Regulations provide a total 91 specified foods for preservatives and 8 specified foods for antioxidants.

Principles of the Proposed Amendments

The Hong Kong government notes that in order to keep their local food legislation connected with the latest developments in food science and technology and to keep abreast of international standards, they intend to incorporate four principles in amending the Regulations.

- Amending the definitions of preservatives and antioxidants to make them in line with the corresponding definitions contained in the Codex Alimentarius Commission (Codex) document;
- Combining the lists of preservatives and antioxidants under the Regulations as some additives may have both preservative and antioxidant functions;
- Incorporating those preservatives and antioxidants, as well as their permitted levels of use, in the General Standard on Food Additives (GSFA) into the Regulations; and
- Developing a food category system for Hong Kong based on the food classes in the GSFA. This amendment reflects the international trend of moving away from "product-specific" legislation to horizontal provisions aimed at all food types.

According to the consultation paper, if there are discrepancies of permitted levels of preservatives between the GSFA and the Regulations, the preservatives listed in the GSFA will be considered for the sake of harmonization of local and international standards.

According to the Hong Kong government's preliminary assessment of the impact of the amendment, the permitted levels of preservatives in about 70 specified products will be relaxed under the GSFA, compared with the current Regulations. At the same time, approximately 30 specified foods will have their preservative level(s) tightened.

In incidences where there are local standards for specific preservatives and antioxidants in specified food items but there are no corresponding Codex standards, the Hong Kong

government proposes in the consultation paper that those already permitted in the current Regulations, where appropriate, will continue.

The consultation document is available at the following website:

http://www.fehd.gov.hk/safefood/library/food_regulations/consult_paper.html

The “General Standard for Food Additives CODEX STAN 192-1995 (Rev.7-2006) is a 186 – page document and can be found in Codex website.

http://www.codexalimentarius.net/web/standard_list.do?lang=en

Additional Preservatives and Antioxidants Permitted for Food Use in the Proposed Amendment to the Regulations

The following preservatives and antioxidants are permitted for food use in the Codex General Standard for Food Additives (CODEX STAN 192-1995(Rev.7-2006)). The Hong Kong government is planning to incorporate them in the upcoming amended Regulations. The Hong Kong government also indicated that the amended Regulations would provide a clause, which allows easy incorporation of Codex changes in the future.

- | | |
|-------------------------------------|---------------------------|
| 1 Guaiac resin | 7 Ferrous Gluconate |
| 2 Isopropyl Citrates | 8 Formates |
| 3 stannous Chloride | 9 Hexamethylene Tetramine |
| 4 Tertiary Butylhydroquinone (TBHQ) | 10 Lysozyme |
| 5 Thiodipropionates | 11 Pimaricin |
| 6 Dimethyl Dicarbonate | |

U.S. Industries’ Comments Invited

The Hong Kong government indicated that the Regulations amendments would follow the Codex standard but not individual countries’ standard because the Codex standard represents international consensus, which has been accepted by members. However, U.S. industries are strongly encouraged to review the consultation paper and submit their comments, particularly for cases that certain preservatives are commonly used in the U.S. but are not included in the existing Hong Kong Regulations and/or Codex standards. Industry representatives may want to submit comments with scientific support to the Hong Kong government pertaining to individual preservatives and antioxidants that they suggest to be included in the amended Regulations.

Comments are to be submitted before February 28, 2007 to the following party. You may wish to copy our office at ATOHongKong@usda.gov so that we may submit your comments for possible inclusion in any U.S. Government response.

Center for Food Safety
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43/F, Queensway Government Offices
66 Queensway
Hong Kong
Fax: 28933547
Email: preserve_consultation@fehd.gov.hk

Please feel free to contact our office if you have further questions on this proposed amendment to the Regulations.